

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DAVID BOWERS,

Plaintiff,

v.

Case No. 07-C-1

WILLIAM POLLARD, et al.,

Defendants.

ORDER

In a letter to the clerk of courts, plaintiff has requested the appointment of counsel. He states that his indigency and inability to make photocopies preclude him from proceeding with this lawsuit. Although 28 U.S.C. § 1915(e)(1) allows courts to “request” that an attorney represent a plaintiff, there is, strictly speaking, no ability or funds to “appoint” counsel in the traditional sense. Therefore, requesting that an attorney provide services free of charge will be the exception rather than the rule, although the determination of whether counsel is necessary is governed by several factors. Here, the request will be denied for several reasons. First, plaintiff has not indicated that he has attempted to contact any attorneys on his own. Second, the nature of the claim is not so complex that the assistance of counsel would prove necessary to secure justice. It is unclear what documents the plaintiff will be unable to photocopy due to his indigency or how they would be necessary for success in this case. Based on his complaint, he will be his own best witness as to the allegedly inhumane conditions he experienced; as such, he will be able to write his own affidavits and briefs. If further proceedings demonstrate that the plaintiff has a meritorious case and that

absent documents are required, the defendants can be directed to assist in the presentation of medical records or other necessary files. But for the time-being, plaintiff has not demonstrated that he is entitled to the appointment of counsel. Accordingly, the request for appointment is **DENIED**.

SO ORDERED this 9th day of May, 2007.

s/ William C. Griesbach
William C. Griesbach
United States District Judge